

P-430, 421/SA-90-55 DENYING SERVICE AREA REVISION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Darrel L. Peterson	Chair
Cynthia A. Kitlinski	Commissioner
Norma McKanna	Commissioner
Robert J. O'Keefe	Commissioner
Patrice Vick	Commissioner

In the Matter of a Proposed Boundary
Revision between United Telephone
Company's Hastings Exchange and
Northwestern Bell Telephone Company's Red
Wing Exchange

ISSUE DATE: March 12, 1990

DOCKET NO. P-430, 421/SA-90-55

ORDER DENYING SERVICE AREA
REVISION

PROCEDURAL HISTORY

On January 29, 1990, United Telephone Company of Minnesota (United) and Northwestern Bell Telephone Company (NWB) brought a joint petition before the Commission requesting a revision of the service area boundary between United's Hastings exchange and NWB's Red Wing exchange. The petition was filed at the request of a land owner and developer, Mr. Keith Carlson.

The Department of Public Service (the Department) filed comments and recommended that the Commission approve the proposed service area revision. No other parties filed comments.

The matter came before the Commission on February 20, 1990.

FINDINGS AND CONCLUSIONS

Facts

The service areas in question are located in Dakota County. Mr. Carlson has platted a development known as Buckshot Ridge, which is located in Sections 32 and 33, Township 116, Range 16, Dakota County. The current boundary between the exchanges runs along the section line and thus splits the development into two telephone service areas. All four lots in the plat are located partially in the Hastings exchange and partially in the Red Wing exchange.

According to Mr. Carlson, the topography of the four lots virtually dictates that two of the homes will be placed on portions of the lots located in the Red Wing exchange. If the owners of these lots wish to obtain United service, United will have to place a pedestal on a portion of the lot which falls

within the Hastings exchange. The homeowner would then be responsible for construction and maintenance of telephone cable from the pedestal to the homesite. If, on the other hand, the homeowners elect NWB service, NWB will be obligated to provide service up to the house. The situation is complicated by the fact that NWB would have to lay its cable through a steep ravine, rendering its costs much higher than normal.

Mr. Carlson states that potential buyers would prefer telephone service from the Hastings exchange. Buckshot Ridge is situated nine miles from Hastings and twenty-five miles from Red Wing. The development is in the Hastings school district and is provided police, fire and ambulance service out of Hastings.

These facts render United's Hastings exchange service preferable to many homeowners.

Department Recommendation

The Department recommended approval of the proposed service area boundary revision. The Department based its recommendation upon the relative proximity of Red Wing and Hastings. The Department also noted that there are no current customers in the area, that the parties had agreed upon the revision, and that no changes in rates or telephone numbers would be necessary.

Commission Action

The Commission recognizes that the parties have stated significant reasons for a revision of service area boundaries. In the case presented to the Commission, however, the drawbacks outweigh the potential benefits.

The proposed revision to the service area boundary would take a line that currently follows the section line and place it upon a lot line. Boundary lines drawn along section lines are preferable because they offer the most clarity to interested parties. When boundaries follow section lines, it is easy for potential buyers to determine the service area within which a lot or acreage will fall. Because the lines are clear, questions of interpretation and conflicts will often be avoided.

The Commission also finds that the reasons given for the proposed revision are not unique to these parties. It was not clear from the parties' petition or Mr. Carlson's testimony how many other people now reside or will reside within Section 33, which is now serviced by NWB. It is quite possible that many other parties in Section 33 are under the same circumstances as the residents of Buckshot Ridge, and would also prefer United service. For reasons of consistency, it is best to leave the boundary line where it now rests.

ORDER

1. The petition of United Telephone Co. of Minnesota and Northwestern Bell Telephone Company for a revision of the service area boundary between the Hastings exchange and the Red Wing exchange is hereby denied.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Lee Larson
Acting Executive Secretary

(S E A L)